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To:	Mail Stop PETITIONS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Facsimile:	(571) 273-8300
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From:	VERENIUM CORPORATION (Customer No. 29062) Intellectual Property Department P.O. Box 910550 San Diego, California 92121-0550 USA	Facsimile:	(858)526-5796
		Phone:	(858)526-5450
		e-mail:	Rick.delatorre@verenium.com

Re:	Application No.:	09/866,379	Filed:	24-May-2001
	Patent No.:	6,855,365	Issued:	15-Feb-2005
	Examiner:	P. Tung	Group Art Unit:	1652
	Customer No.:	29062	Confirmation No.:	4596
	Inventor(s):	Short		
	Title:	Recombinant Bacterial Phytases And Uses Thereof		
	Attorney Docket:	564462001822/D1370-7US		

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Certificate

AUG 21 2008

of Correction

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PTO/SB/21 (01-08)

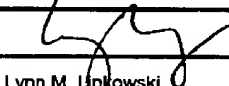
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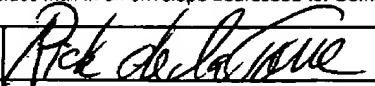
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/866,379; US 6,855,365	
	Filing Date	05/24/2001; Issued: 02/15/2005	
	First Named Inventor	Jay M. Short	
	Art Unit	1652	
	Examiner Name	Delia M. Ramirez	
Total Number of Pages in This Submission	29	Attorney Docket Number	5664462001822/D1370-7US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition for Correction of Inventorship under 37 CFR §1.324 (2pgs); See Remarks for additional submissions
Remarks Statements of Jay Short (2 pgs); Dan Robertson (2 pgs); Eileen O'Donoghue (2 pgs); Kevin Gray (2 pgs); James Garrett (2 pgs); Nelson Barton (2 pgs); Keith Kretz (2 pgs); Eric Mathur (2 pgs); 3.73(b) Statement (1 pg); Consent of Assignee (1 pg); Substitute Declaration (5 pgs); Completed SB/44 (1 pg)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Verenum Corporation	
Signature		
Printed name	Lynn M. Linkowski	
Date	8/19/08	Reg. No. 47,320

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Rick de la Torre	Date 8/19/08

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision)	Application Number	09/866,379; Issued 6,855,365
	Filing Date	May 24, 2001; Issued Feb. 15, 2005
	First Named Inventor	Short
	Art Unit	1652
	Examiner Name	D. Ramirez
	Attorney Docket Number	564462001822/D1370-7US

Send completed form to: Commissioner for Patents
 P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a petition filed under 37 CFR 1.324 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500661:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(a) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Signature

Lynn M. Linkowski

Typed or printed name

Date

47. 320

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES AUG 21 2008 OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision)	Application Number	09/866,379; Issued 6,855,365
	Filing Date	May 24, 2001; Issued Feb.15, 2005
	First Named Inventor	Short
	Art Unit	1652
	Examiner Name	D. Ramirez
	Attorney Docket Number	564462001822/D1370-7US

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a petition filed under 37 CFR 1.324 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17i.

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- § 1.53(a) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
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- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

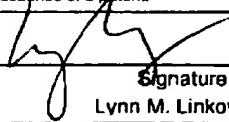
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- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.138(b) - for review of a request for extension of time when the provisions of section 1.138(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
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- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

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- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.


 Signature
 Lynn M. Linkowski
 Typed or printed name

8/19/08
 Date
 47, 320
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Patent No.: 6,855,365

1

Docket No.: 564462001822/D1370-7US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED****CENTRAL FAX CENTER****AUG 19 2008**

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365

Confirmation No.: 4596

Issue Date: February 15, 2005

Art Unit: 1652

Application No.: 09/866,379

Examiner: Delia M. Ramirez

Filing Date: May 24, 2001

For: RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF

PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT
PURSUANT TO 37 C.F.R. § 1.324

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This is a petition for correction of error in a nonjoinder of inventor Dan E. Robertson, and misjoinder of Keith A. Kretz and Eric J. Mathur as inventors in the above issued patent. It is respectfully requested that this petition be granted and this file forwarded to the Certificate of Corrections Branch for issuance of a certificate correcting the error, adding Dan E. Robertson and deleting Keith A. Kretz and Eric J. Mathur.

Enclosed herewith is:

1. A statement from Dan E. Robertson, who is being added as an inventor, that the inventorship error occurred without any deceptive intention on his part.

2. A statement from each of the current named inventors: Jay M. Short, Kevin A. Gray, Nelson Robert Barton, James B. Garrett, and Eileen O'Donoghue, Keith A. Kretz and Eric J. Mathur agreeing to the change of inventorship.

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Patent No.: 6,855,365

Docket No.: 564462001822/D1370-7US

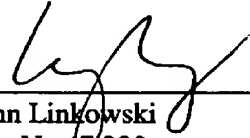
3. A statement under 37 C.F.R. § 3.73(b), establishing right of assignee to take action.
4. The written consent of the assignee under 37 C.F.R. § 3.73(b)(3).
5. Substitute Declaration for Patent Application.
6. Completed PTO/SB/44, Certificate of Correction.

Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 500661. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 500661.

Respectfully submitted,

Date:

8/19/08


Lynn Linkowski
Reg. No. 47,320
Telephone: 858-526-5450
Fax: 858-526-5796

Verenium Corporation
Intellectual Property Department
4955 Directors Place
San Diego CA 92121

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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365
Issue Date: February 15, 2005
Application No.: 09/866,379
Filing Date: May 24, 2001

Confirmation No.: 4596
Art Unit: 1652
Examiner: Delia M. Ramirez

For: **RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF**

STATEMENT OF JAY M. SHORT PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP: PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Jay M. SHORT, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,855,365

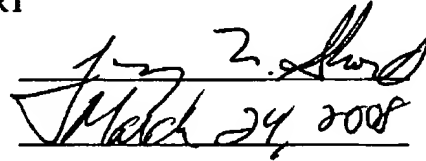
2

Docket No.: 564462001822/D1370-7US

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Jay M. SHORT

Signature:



Date:

March 24, 2008

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Docket No.: 564462001822
D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365

Confirmation No.: 4596

Issue Date: February 15, 2005

Art Unit: 1652

Application No.: 09/866,379

Examiner: Delia M. Ramirez

Filing Date: May 24, 2001

For: RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF

**STATEMENT BY DAN E. ROBERTSON IN SUPPORT OF REQUEST FOR
CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324 (b)(1)**

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Dan E.ROBERTSON, declare as follows:

- 1) I reside at 244 Lake Street, Belmont, MA 02478;
- 2) I am an inventor of patent application 09/866,379, filed May 24, 2001, which issued as US 6,855,365, on February 15, 2005; and
- 3) My name was omitted from the inventorship as originally filed, and this error in inventorship occurred without any deceptive intent on my part.

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sd-351995

Patent No.: 6,855,365

2

Docket No.: 564462001822/D1370-7US

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dan E. Robertson

Signature:



Date:



sd-351995

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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365
Issue Date: February 15, 2005
Application No.: 09/866,379
Filing Date: May 24, 2001

Confirmation No.: 4596
Art Unit: 1652
Examiner: Delia M. Ramirez

For: **RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF**

STATEMENT OF EILEEN O'DONOGHUE PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Eileen O'DONOGHUE, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,855,365


2

Docket No.: 564462001822/D1370-7US

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Eileen O'DONOGHUE

Signature:



Date:

04.08.08

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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365
Issue Date: February 15, 2005
Application No.: 09/866,379
Filing Date: May 24, 2001

Confirmation No.: 4596
Art Unit: 1652
Examiner: Delia M. Ramirez

For: **RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF**

STATEMENT OF KEVIN A. GRAY PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP: PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Kevin A. GRAY, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

sd-358459

AUG 21 2008

Patent No.: 6,855,365

2

Docket No.: 564462001822/D1370-7US

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Kevin A. GRAY

Signature: Date: 4/9/08

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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365
Issue Date: February 15, 2005
Application No.: 09/866,379
Filing Date: May 24, 2001

Confirmation No.: 4596
Art Unit: 1652
Examiner: Delia M. Ramirez

For: **RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF**

STATEMENT OF JAMES B. GARRETT PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP: PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, James B. GARRETT, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,855,365

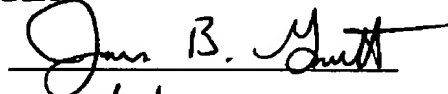
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Docket No.: 564462001822/D1370-7US

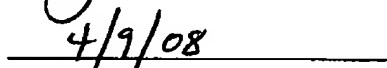
statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

James B. GARRETT

Signature:



Date:



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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365

Confirmation No.: 4596

Issue Date: February 15, 2005

Art Unit: 1652

Application No.: 09/866,379

Filing Date: May 24, 2001

Examiner: Delia M. Ramirez

For: **RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF**

STATEMENT OF NELSON ROBERT BARTON PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I, Nelson Robert BARTON, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,855,365

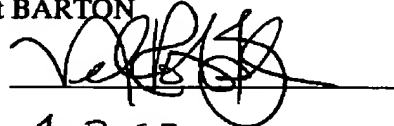
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Docket No.: 564462001822/D1370-7US

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Nelson Robert BARTON

Signature:



Date:

4-8-08

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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365

Confirmation No.: 4596

Issue Date: February 15, 2005

Art Unit: 1652

Application No.: 09/866,379

Filing Date: May 24, 2001

Examiner: Delia M. Ramirez

For: **RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF**

STATEMENT OF KEITH A. KRETZ PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I, Keith A. KRETZ, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,855,365

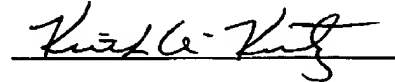
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Docket No.: 564462001822/D1370-7US

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Keith A. KRETZ

Signature:



Date:

6/12/08

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Docket No.: 564462001822/D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Patent No.: 6,855,365

Confirmation No.: 4596

Issue Date: February 15, 2005

Art Unit: 1652

Application No.: 09/866,379

Filing Date: May 24, 2001

Examiner: Delia M. Ramirez

For: RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF

STATEMENT OF ERIC J. MATHUR PURSUANT TO 37 C.F.R. § 1.324(b)(2)

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Eric J. MATHUR, declare as follows:

1. I am a named joint inventor of the above-referenced patent, U.S. Patent No. 6,855,365 entitled "RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF" filed on May 24, 2001, and issued on February 15, 2005, and am familiar with the contents thereof.

2. I agree to a change of inventorship of U.S. Patent No. 6,855,365 to add Dan E. ROBERTSON and delete Keith A. KRETZ and Eric J. MATHUR as inventors of the patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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Patent No.: 6,855,365

2

Docket No.: 564462001822/D1370-7US

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Eric J. MATHUR

Signature: Date: 

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PTO/SB/86 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Jay M. Short et al.Patent No.: 6,855,365Filed/Issue Date: February 15, 2005Entitled: RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF

Verenium Corporation, a Corporation
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
 2. ☐ an assignee of less than the entire right, title and interest.
 (The extent (by percentage) of its ownership interest is _____ %)

In the patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent identified above, to the current assignee as follows:

1. From: Short et al. To: Diversa Corporation
 The document was recorded in the United States Patent and Trademark Office at Reel 012570, Frame 0142, or for which a copy thereof is attached.
2. From: Diversa Corporation To: Verenium Corporation
 The document was recorded in the United States Patent and Trademark Office at Reel 020218, Frame 0510, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


 Signature

May 08, 2008
 Date

William H. Baum
 Printed or Typed Name

858-526-5110
 Telephone Number

Executive Vice President, Business Development
 Title

AUG 21 2008

Attorney docket no. 564462001810/D1370-7US

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Docket No.: 564462001822
D1370-7US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT et al.

Application No.: 09/866,379

Confirmation No.: 4596

Filed: May 24, 2001

Art Unit: 1652

For: RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF

Examiner: Delia M. Ramirez


CONSENT OF ASSIGNEE FOR REQUEST TO CORRECT INVENTORSHIP
PURSUANT TO 37 C.F.R. § 1.324(b)(3)

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Verenium Corporation is the assignee of the above-captioned patent application as recorded in the Patent and Trademark Office at Reel 020218, Frame 0510. Verenium Corporation is fully aware of the Request to Correct Inventorship to add Dan E. ROBERTSON as a co-inventor. Accordingly, Verenium Corporation consents to the change in inventorship.

VERENIUM CORPORATION

Signature: 
Name: William H. Baum
Title: Executive Vice President,
Business Development
Date: May 06, 2008

AUG 21 2008

sd-351996

Attorney Docket No.: 564462001822/D1370-7US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
SUBSTITUTE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF

the specification of which was filed on May 24, 2001 as Application No. 09/866,379 which issued on February 15, 2005 as U.S. Patent Number 6,855,365.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no foreign applications have been filed

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code § 119(e), of any United States provisional patent application(s) listed below:

☒ no U.S. provisional applications have been filed.

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, § 120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

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sd-351998

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Attorney Docket No.: 564462001822/D1370-7US

☐ no U.S./PCT applications have been filed.☒ U.S./PCT application(s) have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)
09/866,379	May 24, 2001	Patented
09/580,515	May 25, 2000	Patented
09/318,528	May 25, 1999	Patented
09/291,931	April 13, 1999	Patented
09/259,214	March 1, 1999	Patented
08/910,798	August 13, 1997	Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 45975

all of **Morrison & Foerster LLP**, 12531 High Bluff Drive, Suite 100, San Diego, California 92130-2040, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Gregory P. Einhorn, whose address is:

Morrison & Foerster LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040

Please direct telephone calls to: Gregory P. Einhorn at (858) 720-5133.

Please direct facsimiles to: (858) 720-5125

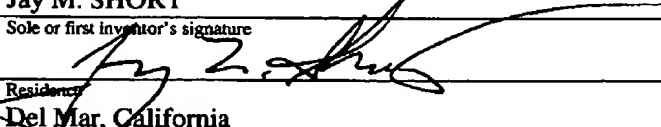
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AUG 19 2008

Attorney Docket No.: 564462001822/D1370-7US

Full name of sole or first inventor Jay M. SHORT	
Sole or first inventor's signature 	Date March 24, 2008
Residence Del Mar, California	
Citizenship US	
Mailing Address 12985 Via Esperia Del Mar, California 92014	

Full name of third inventor, if any Kevin A. GRAY	
Third inventor's signature	Third inventor's signature
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 12119 Eleonore Court San Diego, California 92131	

Full name of fourth inventor, if any Nelson R. BARTON	
Fourth inventor's signature	Fourth inventor's signature
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 10928 Sunset Ridge Drive San Diego, California 92131	

Full name of fifth inventor, if any James B. GARRETT	
Fifth inventor's signature	Fifth inventor's signature
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 11379 Pajaro Way San Diego, California 92127	

AUG 21 2008

Attorney Docket No.: 564462001822/D1370-7US

Full name of sole or first inventor Jay M. SHORT	
Sole or first inventor's signature	Date
Residence Del Mar, California	
Citizenship US	
Mailing Address 12985 Via Esperia Del Mar, California 92014	

Full name of third inventor, if any Kevin A. GRAY	
Third inventor's signature	Third inventor's signature 4/9/08
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 12119 Eleonore Court San Diego, California 92131	

Full name of fourth inventor, if any Nelson R. BARTON	
Fourth inventor's signature	Fourth inventor's signature 4-8-08
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 10928 Sunset Ridge Drive San Diego, California 92131	

Full name of fifth inventor, if any James B. GARRETT	
Fifth inventor's signature	Fifth inventor's signature 4/9/08
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 11379 Pajaro Way San Diego, California 92127	

AUG 21 2008

sd-351998

24

Attorney Docket No.: 564462001822/D1370-7US

Full name of sixth inventor, if any Eileen O'DONOGHUE	
Sixth inventor's signature <i>Eileen O'Donoghue</i>	Sixth inventor's signature <i>04-08-08</i>
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 1136 Missouri Street San Diego, California 92109	

Full name of eighth inventor, if any Dan E. ROBERTSON	
Eighth inventor's signature <i>Dan E. Robertson</i>	Eighth inventor's signature <i>4-1-08</i>
Residence San Diego, California	
Citizenship Citizenship	
Mailing Address 244 Lake Street Belmont, MA 02478	

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PTO/SB/44 (09-07)

Approved for use through 08/31/2010. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,855,365

APPLICATION NO.: 09/866,379

ISSUE DATE : February 15, 2005

INVENTOR(S) : Short et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At page 1, section (75) Inventors:

"Jay M. Short, Rancho Santa Fe, CA (US); Keith Kretz, San Marcos, CA (US); Kevin A. Gray, San Diego, CA (US); Nelson Barton, San Diego, CA (US); James B. Garrett, Poway, CA (US); Eileen O'Donoghue, San Diego, CA (US); Eric J. Mathur, Carlsbad, CA (US)"

should be changed to

--Jay M. Short, Rancho Santa Fe, CA (US); Kevin A. Gray, San Diego, CA (US); Nelson Barton, San Diego, CA (US); James B. Garrett, Poway, CA (US); Eileen O'Donoghue, San Diego, CA (US); Dan E. Robertson, Belmont, MA (US) --

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Verenium Corporation
P.O. Box 910550
San Diego, California 92191-0550

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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